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REPORT: All-inclusive Intra Timorese Dialogue: 3rd meeting in Krumbach, Austria

by Inês Almeida*

The 3rd All-inclusive Intra Timorese Dialogue was held in Krumbach, Austria, between 20 - 23 October last. This time, due to requests by the Resistance, the number of participants was increased by five. Out of these five new members, two are women. This represents an increase in the number of women participants from 1 to 3.

As expected, the guidelines established for the first two meetings were followed. Particularly paragraph 3 of the communique issued after the meeting of the Secretary-General with the Foreign Ministers of Indonesia and Portugal on January 9, 1995, in Geneva. The paragraph stated that

"The objective of the dialogue will be to provide a forum for continuing the free and informal exchange of views to explore ideas of a practical nature that might have a positive impact on the situation in East Timor and assist on the establishment of an atmosphere conducive to the achievement of a solution to the question of East Timor. The dialogue will not address the political status of East Timor and will in no way constitute a parallel negotiating track or to be a substitute for the Ministerial talks under the auspices of the Secretary-General."

Also the participants are expected to take part only in their personal capacity. This principle appears to aim at enabling each participant to air his/her personal opinion and also to facilitate the role of the United Nations in selecting the participants after close consultation with the belligerent parties.

Thus, the main expectations from the participants are to "explore ideas of a practical nature that might have a positive impact on the situation in East Timor and assist in the establishment of an atmosphere conducive to the achievement of a solution to the question of East Timor".

In reality, it is difficult under the current circumstances of war, oppression, rapes, disappearances and systematic unrest and torture, to have participants in their 'personal capacity'. After 22 years of war and resistance against the illegal occupation of East Timor, the Timorese have become accustomed to take the view that you are either with the Resistance or you are against it.

Resistance broadly defined in this way, implies that even those who came from East Timor are not necessarily pro-Indonesia. In fact, this is obvious in the last three sessions of AIETD in Austria.

Statement by Ambassador Jamsheed Marker

In his capacity as the Personal Representative of the Secretary-General Kofi Annan, Jamsheed Marker presented his statement in person to the third AIETD. His participation in such a capacity was, in itself, a sign of increased status of the meeting and the question of East Timor in the international arena.

Jamsheed Marker is a highly respected diplomat within the United Nations sphere. He is from Pakistan and a non-Moslem as well, and also from a Third World/Non-Aligned Movement perspective.

For conflict resolution measures at the level of the UN these factors are, indeed, very important. Apart from this, Kofi Annan too is a man from Africa and a highly respected figure. His other assistant directly working for East Timor is Tamrat Samuel, a well respected figure from the Eritrea. He is very knowledgable about East Timor.

In his opening speech, Jamsheed Marker noted that "Secretary-General Kofi Annan has committed himself to revitalising his good offices on the question of East Timor." Since his appointment in February 1997, he added, "I have been assisting the Secretary-General in this effort, and can confidentially say that with the cooperation of the Government of Indonesia and Portugal as well as East Timorese of all shades of political persuasion, we have succeeded in orienting the tripartite discussions aimed at finding a just, comprehensive and internationally acceptable solution to the question of East Timor, on a more focused and sustained course." And he reassured the participants that "the Secretary-General and myself will continue to exert our best efforts, and given the requisite political will, I see no reason why we cannot make significant progress in the negotiating process." A practical issue raised by Jamsheed Marker was the East Timor Cultural Centre which was one practical point proposed by the second AIETD in March 1996.

In the Burg Schlaining Declaration of 1996, the participants expressed in point 4 of the Declaration their interest to set up such a centre for the purpose of research in the field of culture, including language of Tetum and Portuguese, and tradition. Bearing in mind that one of the central aim of the AIETD is to "...explore ideas of a practical nature that might have a positive impact on the situation in East Timor..." such a proposal was seriously considered by the UN Secretary-General and put forward to the tripartite meeting held between the UN and the governments of Portugal and Indonesia.

So, in his opening speech to the third AIETD, Jamsheed Marker said that the tripartite meeting welcomed the idea and agreed that "in general, the objective of establishing the centre should be the preservation and promotion of the tradition, customs, culture and creativity of the Timorese people and that the centre would be expected to work in cooperation with the existing relevant bodies and agencies as appropriate."

Jamsheed Marker asked the third AIETD meeting to "further elaborate the aims and purposes of the centre", including "organisational arrangement", "financing and mechanisms for the channelling of funds", and also to elaborate on the proposal that the research work of the centre "ought to include the Portuguese language" as proposed by the participants of the AIETD in their Declaration of Burg Schlaining 1996. As a result, the participants divided into groups to consider the request.

From the resistance point of view, the following proposal was put forward:

Proposals from statement by Mr Jamsheed Marker

Organisational arrangement

Set-up of a Timorese Cultural Centre in Paris with a field office in Dili. The main office of this centre would be based in Paris as it is the headquarters of UNESCO. This is to be implemented within 12 months.

Board of Directors to be based in Paris and East Timor. (Majority in ET and one third outside East Timor);

This proposal was immediately opposed by Lopes da Cruz. Many from East Timor agreed but they could not express their views once Lopes da Cruz - voicing the official Indonesian line - stands opposed to it. There was a need to use all the available diplomatic abilities to neutralise Indonesian tendencies and to come up with a compromise which reflect a reasonable approach to the request of Jamsheed Marker without affecting the future of the meeting.

The proposal which was finally agreed upon was vague in some aspects but reaffirmed that the aims and objectives of the centre are to preserve, study, promote and disseminate the culture and identity of he Timorese people, to commit itself to the economic and social development of East Timor, to create an environment conducive to a solution which is just, global and internationally acceptable to the

problem within the scope of the tripartite talks and to promote forms of cooperation with similar organisations.

As for the structure, it was not yet possible to agree on the members for each relevant structure. Some proposals were put forward but even the Resistance opposed them to avoid nepotism and corruption. As a result, the founding council is, for the time being, made up by all the participants, the Management Committee to be appointed by AIETD and various departments may be created according to emerging needs.

As for the location of the headquarters, there was no consensus. The proposal put forward by the Resistance was that the main office is to be based in Paris to benefit from funding from Europe and UN and to work closely with UNESCO which also has its main office in Paris. This difficulty is particularly important because of the juridical aspects of the Timor problem. Whether the Centre is to function under the Indonesian law and jurisdiction or under the International law, this is the question. The resistance certainly sees the need to adopt a strategy which does not lead to tactical recognition of the Indonesian jurisdiction in East Timor. Lopes da Cruz and his pro-Indonesian mob were more concerned about their personal and economic interests, so there was no consensus. However, the question will still be debated, hopefully by the tripartite talks, and also by the Timorese communities abroad and the people in East Timor.

As for funding sources, it was agreed that possible sources of funding can be Portugal, Indonesia and the UN. It was also agreed that the Centre should pursue self-reliance as well as accepting 'other donations'.

This debate was particularly important because, after two meetings of the AIETD, this was the first time the participants openly debated practical ideas. The first two meetings were, in my view, opportunities to know each other and to perceive clearly where each individual and groups stand and to what extent the Resistance can push for concessions from those directly and personally can be affected by any advance of the Resistance position in these talks.

In short, the final proposal, in my view, still is not bad, bearing in mind that if no core agreement could have been reached, this was not only due to the inflexibility of Indonesia but also due to the lack of time and also resources available to the meeting in order to make major organisational and structural decisions on the spot.

So, adopting a position where core decisions are left open such as the question of jurisdiction and management structure and rules, was a reasonable outcome.

Pressure from the Indonesian government

The proposals put forward by the Timorese activists abroad often met strong opposition from Lopes da Cruz and some other public servants who fear that their privileges and rupees given by Indonesian government may be at stake. So they rather play the game as expected by Jakarta or they are in trouble. The pressure of Indonesia is also felt through the Indonesian embassy in Vienna which constantly controlled their team in the meeting. As soon as the meeting is over, all the participants from Timor and Indonesia (and some from abroad who freely chose to be pro-Indonesian) were invited to the Indonesian embassy for a dinner in Vienna. This time, two participants who had been seen as pro-Indonesian clearly changed their stand, and, as a result, they were not invited to the Indonesian embassy as in the two previous meetings. So, the Indonesian government's pressure has been constantly felt in all the three meetings.

Human rights

Nevertheless, comparing the three meetings, the 3rd had interesting turning points. For example, the debate about the systematic abuse of human rights in East Timor did not face real opposition from the participants from East Timor. This is particularly important if one takes into account that one of the 35

participants is Clementino do Amaral, a member of the so-called Indonesian National Human Rights Commission, and another is Lopes da Cruz who is the direct servant of the generals in Jakarta for the question of East Timor. So his role is expected to be to derail any impact the Timorese may wish to generate against the Indonesian occupation of East Timor.

I presented two publications by the Melbourne-based East Timor Human Rights Centre to the meeting and handed them over to the representatives of the United Nations Secretary-General. One publication was a bi-annual issue of human rights abuse in East Timor focusing on the imprisonments, trials and disappearances and another 'From One Day to Another: Violations of Women's Reproductive and Sexual Rights in East Timor', by Miranda E. Sissons. Both reports have just been published by the East Timor Human Rights Centre (ETHRC) and obtained by East Timor Relief Association (ETRA) as material to campaign against the systematic abuse of human rights in East Timor.

In my speech to the forum, I noted that clause 7 of the Final Declaration of the second AIETD (Burg Schlaining March 1997) was ignored. That is, the "measures in the field of human rights in the various areas, including the protection of women..." were ignored. Not only the two reports mentioned above which I presented to the meeting proved that, but also to refresh memories, I provided the examples of two female students who attended the public protest at the time of the visit of Mr Jamsheed Marker. Both women, students in Dili, were arrested, stripped of their clothes and imprisoned. The two women, Celina da Costa, 20, and Olga Quintão Amaral, 19, part of a group of students attempting to convey to Jamsheed Marker their views about the situation in which they live under the Indonesian occupation, were arrested by well trained military men, "had their clothes torn and were severely beaten and raped by members of the Indonesian military."1 According to the same publication, Celina da Costa and Olga Quintão Amaral, together with fourteen of their colleagues, were recently charged for "causing serious bodily harm to others (Article 354) and aiding in a crime under Article 54 and could face a jail term of up to eight years.

I asked the meeting to consider this reality and raised the question of "how can we accept that these two women with their colleagues, who were there, unarmed, taking part in a peaceful initiative with the aim of conveying to the Personal Representative of the Secretary-General of the UN, Jamsheed Marker, end up in jail. And the real perpetrators of the abuse against these two women are not subjected to any trial at all. In view of this situation, I expressed the view that 'confidence building' is extremely difficult while the Indonesian regime continues to behave this way. The question is how can we trust the regime if it is constantly harassing the people of East Timor, and commits all sorts of systematic abuse of basic human rights against the people of East Timor.

All the participants listened carefully to my report and appeared to have taken note of the questions raised. Comparing the three meetings, this last one was certainly better in terms of the response received from those from Indonesia and East Timor, namely those who are expected to air the official line of Jakarta.

Documents from East Timor

As it happened in the past, groups in East Timor send their views through the Church and some other members who they trust. Some documents received this time are openly against Indonesian government and declaring their support for an independent East Timor. All the documents are handed to the UN representatives and many are read in the meeting and points noted by participants.

This time, Nino Konis Santana, the head of the Executive Council of the Armed Struggle sent his message as well. In his message, Konis Santana greeted warmly all the participants and presented some points for consideration. In particular, he pointed out that the Timorese Catholic Church, although not a political institution, is in the right position to interpret correctly the aspirations of the people of East Timor. He noted that in East Timor, due to the inflexibility of Indonesia to give up the idea of East Timor being integrated into Indonesia, "we are forced into a situation of uncertainty" because Indonesia ignores the "wish of the people of East Timor to freely and democratically exercise their fundamental rights through a referendum".

After briefly outlining the farce of integration, Konis Santana stated that "The people of East Timor must be free from the illegal presence of the

Indonesian occupying force". Konis Santana went on to say that "we the people of East Timor reject the view that Development of East Timor can be traded in for violations of human rights and various damages suffered by the People over the last 21 years, because such a development, apart from the fact that it is implemented with a strategy and tactic to favour the occupying force, lacks the direct involvement of the people".

Konis appealed to the meeting to take note that nothing can justify the refusal to grant the people of East Timor their rights to self-determination because this is an inalienable right inherent within the human dignity and the nature of all peoples.

Another group of Timorese who were openly integrationists and have been occupying positions in the Indonesian appointed Legislative Assembly in Dili and other public servant positions, surprisingly signed a document called "Political Declaration". Among other points they said in their statement "At the right time, all the people of East Timor want independence and freedom without the dominance of foreign forces". They also welcome the AIETD but "reject the principles established by the Indonesian government to limit the actions of AIETD, by stopping the participants discussing the main problem, which is the political status of East Timor." The group also denounced what they called the [Indonesian] government "iron fist methods".

This openly signed document by formerly well known Indonesian public servants is an interesting turning point which represents the increasingly volatile situation in East Timor. It is clear that once the Timorese Resistance forces the Indonesian authorities to come clean under international pressure, further isolation of Indonesia in East Timor itself can be achieved sooner rather than later. This declaration is particularly interesting due to the past of the signatories and also the language used.

Another very interesting document was received from IMPETTU (Ikatan Mahasiswa Dan Pelajar Timor Timur), the Indonesian inspired youth organisation for East Timor. This youth organisation is supposed to mirror the official integration policies in East Timor. However, IMPETTU sent a document to this third AIETD. They sent this document as a means of support for the participants, especially those from East Timor and Indonesia so that these participants can feel supported and express their views in favour of the Resistance. They said that "...the success of this forum depends entirely on the personal integrity of the participants" and "the interest of the people of East Timor must be above all the individuals or group interest". They express their concerns regarding "some participants who still use their political attributes to convey their opinions, thus neglecting the interest of the East Timorese people."

The group declared their "deepest disappointment of the lack of implementation of all important points that had been agreed upon in the I and II AIETD...". As for demands, the IMPETTU document demanded that the meetings continue to be "within the spirit of the United Nations resolutions 37/30, 1982, which recognised the right to self-determination of the people of East Timor." They also demanded that Xanana Gusmao takes part in future meetings and the abolition of Indonesian-made terrorists groups such as Garda Paksi, Team Alfa, SGI "which carry out ...policies of terror, intimidation of the people of East Timor...". They also proposed the establishment of "offices of independent human rights organisations in East Timor" and "The participation of the representatives of East Timorese youth and students in AIETD meetings..".

Another document was received from the laymen of the Catholic Church of East Timor. This document was tabled by Bishop Belo. It called upon the participants to search for a solution which warrants long term peace. They argue that for that to happen, there is a need to free all the political prisoners, reduce the military presence in East Timor, stop the persecution of the guerillas, and a cease fire. The

document also called for unity and ended by saying that there are more reasons which unite us all then reasons which divide us, a reference to the words of Pope João XXIII.

The Final Declaration

Apart from the usual remarks, the final declaration signed by all the participants in Krumbach, Austria, and dated 23 October 1997, known as the "Krumbach Declaration 1997", in its operative section states that:

THE PARTICIPANTS:

1. Reaffirm their confidence and total support to the on-going Tripartite Dialogue between the governments of Portugal and Indonesia under the auspices of the United Nations Secretary-General with the objective of finding a just, comprehensive and internationally acceptable solution to the Question of East Timor;

2. Express their interest and willingness to continue the AIETD should they be requested by the United Nations Secretary-General, under the same framework as this one, to continue the debate on concrete and practical ideas conducive for the creation of confidence-building measures, with a view to contributing to the solution of the Question of East Timor;

3. Approve the name, objectives, organic structure and funding sources for the Centre for Culture and Development Timor Lorosae (CCDTL) as attached ;

4. Express their deep concern at the escalating violence in the territory and commit themselves to endeavour, within their capacities, to contribute to the achievement of a lasting peace;

5. Reaffirm the urgent need for the implementation of adequate measures for the promotion and protection of human rights in general, and particularly the protection and promotion of the rights of women, children and youth;

6. Pursuing the efforts aiming at the strengthen of the dialogue among Timorese, the participants of AIETD residing in the diaspora shall invite their colleagues residing inside to visit the Timorese communities in Australia, Portugal, Macau in a date to be agreed. The details will be worked out in due course by the interested parties, possibly by the time of the 1998 Expo;

7. Similarly, the participants from inside shall invite their colleagues in the diaspora to visit the territory of East Timor with the details to be worked out in due date by the interested parties.

Final comments

In spite of the obvious pressure suffered by the participants from East Timor, their participation was more positive this time compared to the second meeting where most of them were silent and terrified by Jakarta. It was also very positive for East Timor to have Arlindo Marçal, the head of the Protestant Church of East Timor which has currently up to 30,000 followers, as a participant. In terms of progress in the three meetings, despite serious problems including security of the participants in East Timor, there is an element of Timorese pride and dignity underlined in the discussions, especially after the formal discussions. Although the meetings are supposed to be 'informal', since the very first day of the first AIETD, it has been clear that those who are expected to represent formally the interests of the Indonesian military, are expected to act to derail any positive result from these meetings.

In this last meeting, it was clear that in spite of continuous Indonesian pressure against the UN and the participants from East Timor, there is an improved environment. One reason, in my view, is because two key members of the so-called 'reconciliation' group have decided to move away form the Indonesian camp and denounce what has happened in the past. As a result, both were not 'invited' to the Indonesian embassy afterwards. On the other hand, some participants from East Timor, apart from

Bishop Belo and Arlindo Marçal, have shown a change in attitude towards the process of dialogue. They tend to accept more and more the opinions of the Resistance.

The first A-IETD was very tense but we managed to achieve a positive outcome by including in the final declaration a reference to the Resolution 37/30 1981, forcing Jakarta to forge a separate document and requiring many participants from East Timor to sign it. Of course such a trick is not acceptable. The second AIETD was extremely tense and many initially believed that that would be the last. But all the participants went through the difficult days with a sense of dignity and Timorese spirit. We reached the end with a poor declaration, but for the first time, we managed to include a clause which reaffirmed "the need to implement the necessary measures in the field of human rights in the various areas, including the protection of women with a view to promote peace, stability, justice and social harmony."

Although, of course nothing was done, one could not realistically expect that 'puppets' of an occupying force could implement something which goes against the interest of priorities of the occupation. But the importance of the resolution, is that we, as Timorese and in spite of differences, show to the Indonesian government that their propaganda is a lie. We do not need Indonesia to work together as Timorese, in civil harmony.

The third AIETD showed further improvement. This was due to a number of factors including the 1996 Nobel Peace Prize which shook Jakarta. The regime is yet to recover from the shock.. Also the Mandela factor which started with the first meeting between Ramos-Horta and President Mandela in his room even before the Nobel Peace Prize was announced in 1996, continuing with President Mandela meeting with the national leader of the Timorese Resistance, Xanana Gusmao in the Presidential Guest House in Jakarta. In addition, resolutions passed by the European Union and the Council of Europe, events inside East Timor and in Jakarta, showing the courage and determination of the Timorese people, and the continuous determination of the Portuguese government in defending the right to self-determination of the people of East Timor. All these events certainly affect positively the perception of the participants from East Timor, particularly those expected to openly serve the Indonesian regime.

Ultimately, one can now pin-point a very tiny group which openly defends the interests of Jakarta in the meeting. Promoting their isolation and working towards eliminating their arguments must continue to be a priority. This will be achieved with direct involvement of as many active groups and individuals as possible, currently in East Timor. I believe that Jakarta can not be allowed any longer to insult the international community and the people of East Timor. The AIETD will continue to be a forum where the strategists of Jakarta, since they cannot destroy it, they will try as much as possible to exert pressure to make it unworkable as a support mechanism for the ongoing tripartite UN initiative. But the international solidarity and the Timorese Resistance will eventually win.

Note: 1. "Bi-annual report of Human Rights Violations in East Timor, January-July", East Timor Human Rights Centre, p.2 and p.31

* Ines Almeida is the Secretary of the Australia-based Timorese NGO "East Timor Relief Association - ETRA". She has been a participant of the AIETD since the first meeting in Burg Schlaining, Austria, in March 1995. Reports on the previous two AIETD by Ines Almeida can be found in Matebian News issues published soon after each event.

KRUMBACH DECLARATION 1997

Guided by the Terms of Reference as contained in paragraphs 3 of the communique issued after the fifth Ministerial Round of Talks in Geneva in 1995, the third All-Inclusive Intra-East Timorese Dialogue (AIETD) took place from 20 to 23 October 1997 in Krumbach, Austria.

Referring to paragraphs 4 and 5 of the Burg Schlaining Declaration of March 22, 1997

Taking into consideration the recommendations outlined in the statement of His Excellency Ambassador Jamsheed Marker, Personal Representative of the United Nations Secretary General for the Question of East Timor;

Expressing their gratitude to the United Nations Secretary-General, his Personal Representative for East Timor and to his staff for having facilitated the III AIETD, in Krumbach Castle, Austria;

Expressing equally their gratitude and appreciation to the Austrian Government for the hospitality provided to the AIETD participants for the third time ;

Saluting the Catholic Church in East Timor represented in His Excellency Bishop Dom Carlos Ximenes Belo, SDB, Apostolic Administrator of the Diocese of Dili, Nobel Peace Laureate;

Saluting the Timorese Christian Church represented by Rev. Arlindo Marçal ;

Expressing their gratitude to the governments of Portugal, Indonesia, and other countries which, through their contributions, made the meeting possible;

Taking note with satisfaction of the climate of frankness and openness which enabled the free discussion and analysis of all questions put forward

THE PARTICIPANTS,

1. Reaffirm their confidence and total support to the on-going Tripartite Dialogue between the governments of Portugal and Indonesia under the auspices of the United Nations Secretary-General with the objective of finding a just, comprehensive and intentionally acceptable solution to the Question of East Timor;

2. Express their interest and willingness to continue the AIETD should they be requested by the United Nations Secretary-General, under the same framework as this one, to continue the debate on concrete and practical ideas conducive for the creation of confidence-building measures, with a view to contributing to the solution of the Question of East Timor;

3. Approve the name, objectives, organic structure and funding sources for the Centre for Culture and Development Timor Lorosae (CCDTL) as attached ,

4. Express their deep concern at the escalating violence in the territory and commit themselves to endeavour, within their capacities, to contribute to the achievement of a lasting peace;

5. Reaffirm the urgent need for the implementation of adequate measures for the promotion and protection of human rights in general, and particularly the protection and promotion of the rights of women, children and youth;

6. Pursuing the efforts aiming at the strengthening of the dialogue among Timorese, the participants of AIETD residing in the diaspora shall invite their colleagues residing inside to visit the Timorese communities in Australia, Portugal, Macau in a date to be agreed. The details will be worked out in due course by the interested parties, possibly by the time of the 1998 Expo;

7. Similarly, the participants from inside shall invite their colleagues in the diaspora to visit the territory of East Timor with the details to be worked out in due date by the interested parties.

Krumbach, Austria, 23rd October 1997

Signed by _____ALL THE PARTICIPANTS